

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARIO GORDON,

Plaintiff,

-against-

9:11-CV-0500 (LEK/RFT)

J. MURNANE; W. PUTNAM, Auburn Correctional
Facility; A. BOYD, Registered Nurse,
Auburn Correctional Facility;
McCLEARLY, Auburn Correctional
Facility; SGT. M. REILLY, Auburn
Correctional Facility; K. BUCHANAN,
Auburn Correctional Facility; D. WEBB,
Auburn Correctional Facility; and K.
FISHER, Auburn Correctional Facility,

Defendants.

ORDER

This matter comes before the Court following a Report-Recommendation filed on July 16, 2012 by the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Northern District of New York Local Rule 72.3(c). Dkt. No. 31 (“Report-Recommendation”).

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” FED. R. CIV. P. 72(b); N.D.N.Y. L.R. 72.1(c). “If no objections are filed . . . reviewing courts should review a report and recommendation for clear error.” Edwards v. Fischer, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006) (citations omitted).

Here, no objections have been raised in the allotted time with respect to Judge Dancks’s Report-Recommendation. After examining the record, the Court has determined that the Report-

Recommendation is not subject to attack for clear error or manifest injustice.

Accordingly, it is hereby:

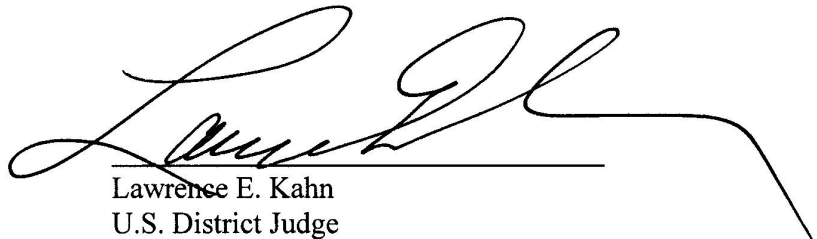
ORDERED, that the Report-Recommendation (Dkt. No. 31) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED that Defendants' Motion to dismiss (Dkt. No. 26) is **GRANTED** and that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED without prejudice**; and it is further

ORDERED, that the Clerk of the Court serve a copy of this Decision and Order upon the parties to this action.

IT IS SO ORDERED.

DATED: August 27, 2012
Albany, New York



Lawrence E. Kahn
U.S. District Judge